

forestry, said station to be located in the Twenty-eighth Senatorial District."

And find the same correctly engrossed.

WARD, Chairman.

Committee Room.

Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 27, A bill to be entitled "An Act providing for the establishment of an experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry; said station to be located in the Twenty-ninth Senatorial District,"

And find the same correctly engrossed.

WARD, Chairman.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, March 24, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

The roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Hume. Stokes.
Senter.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

EXCUSED.

On account of important business:
Senator Meachum for Monday and

yesterday, on motion of Senator Masterson.

Senator Stokes for yesterday and today, on motion of Senator Peeler.

BILLS AND RESOLUTIONS.

By Senator Murray:

Senate bill No. 61, A bill to be entitled "An Act regulating the fees authorized to be charged by newspapers for making publications of citations as authorized under Article 1236 of the Revised Civil Statutes of the State of Texas of 1895, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

Morning call concluded.

By unanimous consent, after the morning call had been concluded:

By Senators Veale, Harper, Brachfield, Murray and Bryan:

Senate bill No. 62, A bill to be entitled "An Act to provide for the establishment and maintenance of agricultural, horticultural and feeding experimental stations in certain parts of Texas; to provide for proper appropriation therefor, and repealing all laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Harper:

Senate bill No. 63, A bill to be entitled "An Act to amend an act to prescribe the time within which statements of fact, bills of exception may be filed in causes tried in the district and county courts of Texas, and to authorize judges whose terms of office have expired to approve statements of facts and bills of exception, and providing that judges also have ten days after adjournment of the term of court at which said cause may be tried to file findings of facts and conclusions of law, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Judiciary Committee No. 1.

By Senator Hudspeth:

Senate bill No. 64, A bill to be entitled "An Act to authorize and empower the State Health Officer to isolate and return to their homes indigent consumptives sojourning in other sections of the State: providing appropriation to carry this law into effect, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Public Health.

By Senator Alexander:

Senate bill No. 65, A bill to be entitled "An Act to amend Article 3388, Title 69, Revised Civil Statutes of the State of Texas, 1895, prescribing the form of ballot to be used in local option elections, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Judiciary Committee No. 1.

By Senator Adams:

Senate bill No. 66, A bill to be entitled "An Act to confer upon the county court of Concho county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Judicial Districts.

By Senators Holsey, Cofer, Terrell of McLennan, Terrell of Bowie, Senter, Sturgeon, Hudspeth, Veale, Alexander, Willacy, Perkins, Real, Hayter, Greer, Peeler, Adams, Paulus, Murray, Bryan, Ward, Kellie:

Senate bill No. 67, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Second Senatorial District."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Agricultural Affairs.

By Senator Peeler:

Senate bill No. 68, A bill to be entitled "An Act for the establishment of an additional experiment station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be located in the Twentieth Senatorial District, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Agricultural Affairs.

By Senator Masterson:

Senate bill No. 69, A bill to be entitled

"An Act to provide a home for lepers, and to provide for the isolation, care and treatment of persons suffering with leprosy, and to make an appropriation therefor, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Public Health.

By Senator Real:

Senate bill No. 70, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station to be located in the Twenty-fourth Senatorial District, composed of Bexar, Kendall, Kerr, Bandera and Gillespie counties, and making the necessary appropriations therefor, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Agricultural Affairs.

By Senator Masterson:

Senate bill No. 71, A bill to be entitled "An Act to provide for the establishment and maintenance of agricultural experiment station in the Seventeenth Senatorial District of Texas, and making an appropriation of \$5000 therefor, and declaring an emergency."

Read first time, and referred by President Pro Tem. Brachfield to Committee on Agricultural Affairs.

By Senator Weinert:

Senate bill No. 72, A bill to be entitled "An Act to amend Chapter 12, Title 51 of the Revised Civil Statutes of Texas, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

SENATE BILL NO. 59.

Senate bill No. 8 being the pending business, the Chair so stated, and

On motion of Senator Perkins, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 59, by the following vote:

Yeas—24.

Adams.	Mayfield.
Alexander.	Meachum.
Bryan.	Murray.
Cofer.	Paulus.
Greer.	Peeler.
Hayter.	Perkins.
Hudspeth.	Real.
Kellie.	Sturgeon.
Masterson.	Terrell of Bowie.

Terrell of McLennan. Watson.
Veale. Weinert.
Ward. Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Senter.

Absent—Excused.

Stokes.

On motion of Senator Perkins, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Senter.

Absent—Excused.

Stokes.

The Chair laid before the Senate, on second reading,

Senate bill No. 59, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station in the Fifth Senatorial District of Texas, and making an appropriation of \$10,000 therefor, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and Senator Holsey offered the following amendment, which was read and adopted:

Amend the bill by striking out "\$10,-

000" wherever it occurs and insert in lieu thereof "\$5000."

HOLSEY,
GREER,
WILLACY,
TERRELL of McLennan,
ALEXANDER.

Bill read second time, and ordered engrossed.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Senter.

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Senter.

Absent—Excused.

Watson. Stokes.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXECUTIVE MESSAGE.

Executive Office,
State of Texas.

Austin, Texas, March 22, 1909.

To the Legislature:

House bill No. 89, passed at the Regular Session of the Thirty-first Legislature, being a bill amending a law known as the Robertson insurance law, must be acted upon by the Governor within twenty days after the adjournment of the Regular Session, that is to say, not later than April 3. Section 5 of this bill fixes the occupation tax to be hereafter imposed upon life insurance companies not organized under the laws of this State and transacting business in Texas at the existing rate of 3 per cent of the gross premium receipts, subject to the following provision:

"Provided, that when the report of the investments in Texas securities of any company, as on December 31 of any year, shall show that such company has invested on said date as much as 30 per cent of its total Texas reserve in Texas securities, the rate of said occupation tax shall be reduced to 2 1-2 per cent, and when such report shall show that such company has invested on said date as much as 60 per cent of its total Texas reserves in Texas securities, the rate of such occupation tax shall be reduced to 2 per cent and when the report of such company shall show that as much as 75 per cent of the total Texas reserves of such company was invested on the said date in Texas securities, the rate of such occupation tax shall be reduced to 1 1-2 per cent; provided, the investment in Texas securities of 75 per cent of the Texas reserves provided by this act shall in any event be required of all such companies."

It is clear that inasmuch as the provisions of this act require the investment of at least 75 per cent of the Texas reserves in Texas securities, unconditionally, that the effect of said section is to finally reduce the premium gross receipts occupation tax from 3 per cent to 1 1-2 per cent of the gross premium receipts.

The Robertson insurance law, which

is the present law, increased the tax from 2 1-4 to 3 per cent, and the Thirtieth Legislature also repealed the law which had been in force for many years, imposing an annual occupation tax of \$5.00 for State purposes, \$2.50 for county purposes and \$2.50 for city and town purposes upon local agents of life insurance companies. The amounts from this source theretofore aggregating approximately more than \$30,000 per annum. Under the present law, which is repealed by House bill No. 89, an occupation tax of \$50 for State purposes, \$25 for county purposes and \$25 for city and town purposes is levied upon the general agents of life insurance companies. The bill before me provides that ultimately the sole tax collected from foreign life insurance companies in this State shall be an occupation tax of 1 1-2 per cent of the gross premium receipts, all fees and all other occupation taxes upon companies or agents being eliminated. In other words, the bill provides for a tax of 1 1-2 per cent of the gross premium receipts in lieu of both the present rate of 3 per cent and gross receipts tax, the tax of \$100 for all purposes upon general agents of life insurance companies.

If this bill should become a law it would result in reducing the tax imposed upon life insurance companies doing business in this State, not organized under the laws of Texas, at least \$125,000 per annum; provided, the business transacted by such companies equals the business done by them in Texas during the year 1906, and it is but reasonable to assume that such business transactions would increase in proportion to the increase in population and volume of business generally. Reliable data before me shows that Texas is practically the only State in which no taxes are collected upon such life insurance business, other than the State occupation tax upon gross premium receipts, and that the average of the gross receipts in all the States, notwithstanding all the other States impose additional taxes, is 17-10 per cent. I believe it clear that justice to the property taxpayers of the State would require that the minimum gross premium receipts tax rate, if all other taxes and fees are to be eliminated, both as to companies and their agents, should in no event be less than 2 per cent, and in view of the fact that House bill No. 89, above referred to, requires the investment in due time of 75 per cent of the Texas reserves in Texas securities, that there is no sound reason

for offering a tax reduction to secure compliance with the law.

Section 2 of the act provides that such companies may invest in Texas securities, and it is suggested that the interests of the State would be best subserved by legislation securing investments of such reserves in Texas real estate mortgages, instead of Texas securities, as such investments would tend to lower the rate of interest in Texas, while investments in general Texas securities would have little tendency in that direction.

It is further suggested that if the said House bill No. 89 is approved and becomes a law, the loss in gross receipts occupation taxes as a result of the reduction above mentioned will be shifted to the property taxpayers of the State, which was doubtless not intended by the Legislature. It is, therefore, suggested that Section 5 of said act be so amended as to provide that the occupation tax rate shall be 3 per cent upon the gross premium receipts; provided, that the company or companies having invested as much as 30 per cent of its total Texas reserves in Texas real estate mortgages shall pay only 2 6-10 per cent, and that the company or companies having as much as 60 per cent of its total Texas reserves so invested shall pay only 2 3-10 per cent, and that the company having the required 75 per cent fully invested in Texas real estate mortgages shall only pay 2 per cent.

Such legislative action as will encourage investment and reduce the interest rate to the masses of the people is needed, and the gross receipts premium occupation tax on the premium receipts of life insurance companies, not chartered under the laws of Texas and doing business in Texas and the graduation thereof as above outlined is suggested as a subject for consideration and legislation with that end in view and to prevent a further reduction in the State's revenues from that source. Prompt legislation in the premises is requested, as action must be taken on House bill No. 89 not later than April 3, 1909.

T. M. CAMPBELL,
Governor of Texas.

EXECUTIVE MESSAGE.

Executive Office,
State of Texas.

Austin, Texas, March 24, 1909.

To the Senate:

The advice and consent of the Senate

is requested to the following appointments:

James W. Swayne of Tarrant county, to be judge of the Seventeenth Judicial District of Texas, effective April 5, 1909, to fill the vacancy occasioned by the resignation of Judge Mike E. Smith.

Thomas E. Durham of Gregg county, to be assistant superintendent in charge of the Rusk Penitentiary.

T. M. CAMPBELL,
Governor of Texas.

EXECUTIVE SESSION—TIME SET FOR.

Senator Alexander here moved that the Senate go into executive session today at 11 o'clock for the purpose of considering the above appointments. The motion was unanimously adopted by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Murray.	

Absent.

Meachum.

Absent—Excused.

Hume.

Stokes.

SENATE BILL NO. 51.

On motion of Senator Terrell of Bowie, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 51, by the following vote:

Yeas—24.

Adams.	Masterson.
Alexander.	Mayfield.
Cofer.	Murray.
Greer.	Paulus.
Hayter.	Peeler.
Holsey.	Perkins.
Hudspeth.	Real.
Kellie.	Senter.

Sturgeon. Ward.
Terrell of Bowie. Watson.
Terrell of McLennan. Weinert.
Veale. Willacy.

Nays—2.

Brachfield. Harper.

Absent.

Bryan. Meachum.

Absent—Excused.

Hume. Stokes.

The Chair laid before the Senate, on second reading,

Senate bill No. 51, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the First Senatorial District of Texas, and making an appropriation of \$5000 therefor, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Terrell of Bowie, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Watson.

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams. Alexander.

Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.
Peeler.	

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume.

Absent—Excused.

Stokes.

Senator Terrell of Bowie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 53.

On motion of Senator Terrell of McLennan, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 53, by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—2.

Brachfield. Holsey.

Absent.

Harper. Sturgeon.
Hume. Watson.

Absent—Excused.

Stokes.

The Chair laid before the Senate, on second reading,

Senate bill No. 53, A bill to be entitled "An Act to provide for the establish-

ment and maintenance of an Agricultural Experiment Station in the Eleventh Senatorial District of Texas, and making an appropriation of \$5000 therefor, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Terrell of McLennan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of
Kellie.	McLennan.
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Nays—2.

Brachfield.	Holsey.
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Absent.

Harper.	Hume.
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Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.	Terrell of Bowie.
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Absent—Excused.

Stokes.

Senator Terrell of McLennan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(President Pro Tem. Brachfield in the chair.)

SENATE BILL NO. 60.

On motion of Senator Cofer, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 60, by the following vote:

Yeas—24.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.	Meachum.
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Absent—Excused.

Stokes.

(Lieutenant Governor Davidson in the chair.)

On motion of Senator Cofer, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report) by the following vote:

Yeas—24.

Adams.	Meachum.
Alexander.	Murray.
Bryan.	Paulus.
Cofer.	Peeler.
Greer.	Perkins.
Hayter.	Real.
Hudspeth.	Senter.
Kellie.	Sturgeon.
Masterson.	Terrell of Bowie.
Mayfield.	Terrell of McLennan.

Veale. Watson.
Ward. Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Weinert.

Absent—Excused.

Stokes.

EXECUTIVE SESSION.

Here the Chair announced that the hour for the Senate to go into executive session to consider the appointments sent to the Senate by the Governor on yesterday and today had arrived, and

The Chamber was ordered cleared of all not entitled to remain.

In executive session the following confirmations were made:

George W. Littlefield of Travis county, Richard Mayes of Navarro county and Mrs. J. C. Terrell of Tarrant county to be members of the Texas Library and Historical Commission.

James W. Swayne of Tarrant county, judge of the Seventeenth Judicial District.

Thomas E. Durham of Gregg county, as assistant superintendent of Rusk Penitentiary.

IN THE SENATE.

SENATE BILL NO. 60.

Action recurred on Senate bill No. 60. The Chair laid before the Senate, on second reading,

Senate bill No. 60, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Station in the Fourth Senatorial District of Texas, and making an appropriation of \$2500 therefor, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams. Bryan.
Alexander. Cofer.

Greer. Real.
Hayter. Senter.
Hudspeth. Sturgeon.
Masterson. Terrell of Bowie.
Mayfield. Terrell of McLennan.
Meachum. Veale.
Murray. Ward.
Paulus. Watson.
Peeler. Weinert.
Perkins. Willacy.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume. Kellie.

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams. Peeler.
Alexander. Perkins.
Bryan. Real.
Cofer. Senter.
Greer. Sturgeon.
Hayter. Terrell of Bowie.
Hudspeth. Terrell of McLennan.
Kellie. Veale.
Masterson. Ward.
Mayfield. Watson.
Meachum. Weinert.
Murray. Willacy.
Paulus.

Nays—3.

Brachfield. Holsey.
Harper.

Absent.

Hume.

Absent—Excused.

Stokes.

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 34.

On motion of Senator Meachum, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 34, by the following vote:

Yeas—25.

Adams. Bryan.
Alexander. Cofer.

Greer.	Real.
Hayter.	Senter.
Hudspeth.	Sturgeon.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Veale.
Meachum.	Ward.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.
Perkins.	

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.

Absent—Excused.

Stokes.

(Senator Perkins in the chair.)

The Chair laid before the Senate, on second reading,

Senate bill No. 34, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry; said station to be located in the Fifteenth Senatorial District."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Watson.
Murray.	Weinert.

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume. Willacy.

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.

Absent—Excused.

Stokes.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 54.

On motion of Senator Sturgeon, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 54, by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.

Absent—Excused.

Stokes.

The Chair laid before the Senate, on second reading,

Senate bill No. 54, A bill to be entitled "An Act providing for the establishment of an agricultural experiment station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be situated in the Third Senatorial District, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Sturgeon offered the following amendment, which was read and adopted:

Amend the caption by adding the words "and making an appropriation of \$5000 therefor."

Senator Sturgeon offered the following amendment, which was read and adopted:

Amend the bill in Section 2, page 1, line 1, after the word "station," by adding the words "which shall contain not less than 50 acres of good land, and shall be conveyed to the State of Texas without cost to the State."

Bill read second time, and ordered engrossed.

On motion of Senator Sturgeon, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.

Absent—Excused.

Stokes.

(President Pro Tem. Brachfield in the chair.)

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Nays—3.

Brachfield.	Holsey.
Stokes.	

Absent.

Hume.	Watson.
Perkins.	

Absent—Excused.

Harper.

Senator Sturgeon moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 55.

On motion of Senator Weinert, the pending order of business (Senate bill No. 8) was suspended, and the Senate took up, out of its order, Senate bill No. 55, by the following vote:

Yeas—23.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Real.
Cofer.	Senter.
Greer.	Sturgeon.
Hayter.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Kellie.	
Masterson.	Veale.
Mayfield.	Ward.
Meachum.	Weinert.
Murray.	Willacy.

Nays—3.

Brachfield.	Holsey.
Harper.	

Absent.

Hume.	Watson.
Perkins.	

Absent—Excused.

Stokes.

The Chair laid before the Senate, on second reading,

Senate bill No. 55, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry, said station to be situated in the Twenty-first Senatorial District, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Weinert offered the following amendment, which was read and adopted: Amend the caption by adding the words "and making an appropriation of \$5000."

Senator Weinert offered the following amendment, which was read and adopted:

Amend the bill, page 1, Section 2, by adding after the word "station," in line 4, the following: "Which shall contain not less than fifty acres of good land with suitable improvements which shall be conveyed to the State of Texas without cost to the State."

Bill read second time, and ordered engrossed.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Adams.	Peeler.
Alexander.	Perkins.
Bryan.	Real.
Greer.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Veale.
Meachum.	Ward.
Murray.	Weinert.
Paulus.	Willacy.

Nays—2.

Brachfield. Harper.

Absent.

Cofer.	Mayfield.
Holsey.	Watson.
Hume.	

Absent—Excused.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Bryan.
Alexander.	Greer.

Hayter.	Real.
Hudspeth.	Senter.
Kellie.	Sturgeon.
Masterson.	Terrell of Bowie.
Mayfield.	Terrell of McLennan.
Meachum.	Veale.
Murray.	Ward.
Paulus.	Weinert.
Peeler.	Willacy.
Perkins.	

Nays—2.

Brachfield. Harper.

Absent.

Cofer.	Hume.
Holsey.	Watson.

Absent—Excused.

Stokes.

Senator Weinert moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 8.

The Chair laid before the Senate, as pending business and on second reading,

Senate bill No. 8, A bill to be entitled "An Act to abolish the Department of Public Health and Vital Statistics, and to establish instead a State Board of Health."

The question on the bill was the following pending amendment by Senator Cofer:

Amend Section 11, page 7, by inserting in line 6, page 7, after the word "prepare" the words "and recommend for adoption to the Legislature and to become laws only when adopted by the Legislature."

Senator Alexander offered the following substitute for the amendment:

Amend bill by substituting the following for Section 11:

Section 11. Power is hereby conferred on the Texas State Board of Health to prepare a sanitary code to be known as the "Sanitary Code for Texas," which shall provide rules and regulations for the promotion and protection of the public health and for the general amelioration of the sanitary and hygienic condition within this State, for the suppression and prevention of infectious and contagious diseases, and for the proper enforcement of quarantine, isolation and control of such diseases, which said code, when so made, adopted, approved by the Governor, published and promulgated,

shall have the force of law in all respects as far as relates to the following subjects:

(a) In the management of quarantine and disinfection with respect to all contagious, infectious diseases and exposures.

(b) In the government of quarantine and disinfection of all pestilential diseases, such as bubonic plague, Asiatic cholera, leprosy, typhus and yellow fever.

(c) For the inspection, sanitation and disinfection of all railway coaches (including interurban cars), sleeping cars, street cars, waiting rooms, toilet rooms in cars and stations, depots and stations; the regulations for the proper protection of the public water and heat supplies in such places, and the sanitary conduct and condition of all persons within such places.

(d) Governing the reporting by physicians of the presence in any locality of all contagious and infectious diseases.

(e) Governing the manner and method of collecting and reporting all vital and sanitary statistics, including reports of births and deaths, designating by whom such report shall be made and the form of same.

(f) Governing the preparation for transportation of dead bodies.

Provided, that said Texas State Board of Health shall prepare and adopt at such time as they may deem proper and expedient an "Advisory Supplement" to such "Sanitary Code for Texas" which shall contain rules and regulations on the following subjects:

(1) Prescribing and fixing the standard for disinfectants; requiring employment of disinfectants of proper quality and standard for the disinfection of all premises as directed by the board.

(2) Regulating the proper sanitary disposition of sewerage and offal, and the proper drainage of unsanitary premises.

(3) Governing the proper disposition, interment and disinterment of dead bodies.

(4) Regulating the examination and inspection both ante mortem and post mortem of all animals which may be intended for supplying food products of meat for human consumption; regulating and governing the protection of the public with reference to the sale and use of diseased animals for producing food products or meat; the manner of feeding to animals designated for producing food products for human consumption; all offensive or diseased producing food stuffs; regulating the in-

spection, examination and management of all dairy cows and herds for the purpose of controlling and suppressing tuberculosis and other diseases liable to be communicated from animal to man.

(5) Regulating the sanitary condition of public schools applicable to teachers, pupils and employes, and prescribing rules and regulations for the prevention and suppression of diseases among the pupils of public schools.

(6). Rules and regulations for the sanitation and disinfection of public buildings; provided, that a public building is hereby declared to be any building owned by the State or any county or any city school building, college or university of any class, any dance hall, music hall, saloon, fire hall, skating rink, theater, theatorium, moving picture show, circus, pavilion, office building, hotel, lodging house, restaurant, lecture hall, place of public worship or any building or place used for the congregation, occupation or entertainment, amusement or instruction of the public.

Provided, that such "Advisory Supplement" to said "Sanitary Code for Texas" shall be advisory only. It shall be the duty of all city and county health officers, members of city councils, city and county commissioners to so operate at all times with the Texas State Board of Health in enforcing the rules and regulations contained in such "Advisory Supplement," and any city or town in this State may by a majority of its city council or commissioners and with the approval of a majority of the members of the school board of such city or town, adopt such advisory supplement, and the rules and regulations therein contained shall thereafter have the full force and effect of law in such city or town; provided, that the commissioners court of any county in this State may by a majority vote adopt said "Advisory Supplement" to the "Sanitary Code for Texas" and thereafter the rules and regulations contained in such "Advisory Supplement" shall have the full force and effect of law outside of all incorporated cities and towns in such county.

Any person who shall violate any of the rules and regulations contained in the "Sanitary Code for Texas" as embraced in subdivisions a, b, c, d, e and f of this section, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$10 and not more than \$1000.

Any person who shall wilfully violate any of the rules and regulations con-

tained in the "Advisory Supplement" to the "Sanitary Code for Texas," embraced in subdivisions 1, 2, 3, 4, 5 and 6 of Section 11 of this act, when same shall have been adopted by the city or county in which said person shall have violated such rules and regulations, he shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$5.00 and not more than \$100.

It shall be the duty of the said Texas Board of Health to provide for the removal of known causes of disease; to provide for the extermination of obnoxious and hurtful insects, vermin and rodents when necessary to prevent and suppress disease.

For the compilation and preparation of such code, it shall be the duty of the board to consult authorities and make investigations relative to the most approved modern sanitary codes and spare no pains to make the same complete in the light of modern science.

On adoption of the said code by votes of a majority of the members of the board, and approved by the Governor, it shall be published at length for one time in the official monthly bulletin of the State Board of Health, and at least three times for three consecutive weeks in three daily newspapers of the State, after which adoption, approval and publication, it shall become operative and have the absolute force of law, and any person who shall violate any of the rules, regulations in said sanitary code after its adoption and publication as above provided for shall be deemed guilty of a misdemeanor and upon conviction shall be fined as herein prescribed.

And it is hereby made the duty of the several courts of this State having jurisdiction over such offenses, according to the grade thereof, to enforce and carry into effect each and all of the rules and regulations as promulgated in said "Sanitary Code for Texas," when they shall have the force and effect of law as provided herein, and to impose and collect penalties in the amounts therein specified from all persons found guilty of any violations thereof.

There shall be printed by the board and by it published in pamphlet form a sufficient number of copies of the "Sanitary Code for Texas" for distribution to the public. Copies shall be furnished free upon application to county and municipal health authorities, boards of health, mayors, members of city council, city commissioners and judges and clerks of courts. Copies of said code shall be

furnished by the board upon application to any person applying therefor and paying a nominal sum, to be fixed by the board, to cover cost of publication and transportation of same.

Provided, this act shall not be construed to repeal any of the laws of this State now in force affecting the public health, but shall be construed to be cumulative to said laws, and the Board of Public Health is hereby authorized to promulgate rules and regulations for all laws relating to the public health now in force in this State.

ALEXANDER,
WILLACY.

Senator Terrell of Bowie moved that the above amendment be printed in the Journal, and that the bill be made a special order for Friday morning at the conclusion of the morning call.

The motion was adopted.

SENATE BILL NO. 6.

The Chair laid before the Senate, as pending business, and on second reading,

Senate bill No. 6, A bill to be entitled "An Act to amend Article 3231, Chapter 11, Title 62 of the Revised Civil Statutes of Texas, 1895, relating to the verdict of justice in civil cases, so as to provide that in the trial of civil cases nine members of the jury concurring may render a verdict in the district court, and five jurors concurring may render a verdict in the county court and courts of justices of the peace, and repealing all laws and parts of laws in conflict herewith."

There being an adverse majority committee report and a favorable minority committee report.

Senator Mayfield moved the adoption of the minority committee report, and

Senator Terrell of Bowie moved, as a substitute, that the majority committee report be adopted.

Senator Meachum moved the previous question on the pending motion, which motion was seconded.

The motion for the previous question was lost by the following vote:

Yeas—12.

Adams.	Peeler.
Harper.	Perkins.
Masterson.	Real.
Meachum.	Terrell of Bowie.
Murray.	Weinert.
Paulus.	Willacy.

Nays—13.

Alexander.	Kellie.
Brachfield.	Mayfield.
Bryan.	Senter.
Cofer.	Sturgeon.
Hayter.	Terrell of McLennan.
Holsey.	Veale.
Hudspeth.	

Absent.

Greer.	Ward.
Hume.	Watson.

Absent—Excused.

Stokes.

RECESS.

Senator Peeler moved that the Senate recess until 3:30 o'clock today.
The motion was adopted.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House bill No. 16, A bill to be entitled "An Act to amend Article 1019, Title 27, Chapter 16 of the Revised Civil Statutes of the State of Texas, relating to appearances by brief of attorneys for either party in the Courts of Civil Appeals; and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after its caption had been read, the following House bill (see above House message for caption):

House bill No. 16, referred to Judiciary Committee No. 1.

Here the Senate was at ease for five minutes.

When the Senate was called to order, Senator Peeler moved that Rev. Abe

Mulkey, who was present in the Senate Chamber, be invited to address the Senate.

The motion was unanimously adopted.

ADJOURNMENT.

Senator Hudspeth, at 4:30 o'clock p. m., moved that the Senate adjourn until 10 o'clock Friday morning.

Senator Holsey moved that the Senate adjourn until 10 o'clock tomorrow morning.

Action being on the longest time first, the motion to adjourn until 10 o'clock Friday morning was adopted by the following vote:

Yeas—13.

Hudspeth.	Real.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Meachum.	Watson.
Murray.	Weinert.
Peeler.	Willacy.
Perkins.	

Nays—10.

Alexander.	Holsey.
Brachfield.	Paulus.
Bryan.	Senter.
Cofer.	Veale.
Harper.	Ward.

Absent.

Adams.	Hume.
Greer.	Mayfield.
Hayter.	Sturgeon.

Absent—Excused.

Stokes.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 35, A bill to be entitled "An Act to amend Article 402, Chapter 6, Title 11 of the Penal Code, as amended by Chapter 40 of the General Laws of the Twenty-eighth Legislature."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARPER, Chairman.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 46, A bill to be entitled "An Act making it a felony to pursue the occupation or business of selling intoxicating liquor except as permitted by law, in any territory in this State where the sale of intoxicating liquor has been prohibited by law; prescribing suitable punishment for the violation of this act; defining such business or pursuit, and providing rules of evidence in prosecutions hereunder,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARPER, Chairman.

(Floor Report.)

Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 66, A bill to be entitled "An Act to confer upon the county court of Concho county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Paulus, Perkins, Terrell of Bowie, Masterson, Willacy, Ward, Sturgeon.

(Floor Report.)

Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

Senate bill No. 64, A bill to be entitled "An Act to authorize and empower the State Health Officer to isolate and return to their homes indigent consumptives sojourning in other sections of the State, providing appropriation to carry

this law into effect, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

Hayter, Chairman; Peeler, Masterson, Kellie, Real, Perkins, Willacy, Murray.

(Floor Report.)

Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 59, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station in the Fifth Senatorial District of Texas, and making an appropriation of \$10,000 therefor, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Murray, Sturgeon, Paulus, Perkins, Holsey, Willacy.

(Floor Report.)

Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 67, A bill to be entitled "An Act providing for the establishment of an additional experimental station for the purpose of conducting experiments in agriculture, horticulture and forestry; said station to be located in the Second Senatorial District,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Mayfield, Chairman; Perkins, Sturgeon, Willacy, Kellie, Cofer, Murray, Holsey.

(Floor Report.)

Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 60, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural station in the Fourth Senatorial District

of Texas, and making appropriation of \$2500 therefor, and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Murray, Chairman; Sturgeon, Paulus, Perkins, Holsey, Willacy.

(Majority Report.)

Committee Room,
Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 24, A bill to be entitled "An Act declaring corporations, receivers, or other persons operating railroads in this State, to be liable to employees for injuries received through the negligence of such employer, officer, agent or servant, or, in case of death from such injury, to be liable to the surviving widow and children and mother and father of the deceased; and if none, then of the next of kin dependent upon such employee; prescribing the effect of contributory negligence and assumed risk upon the right of recovery; declaring void any contract, rule or regulation intended to enable the employer to limit liability; also providing that employer shall be entitled to set off against any claim any sum contributed by such employer to a fund provided for such cases and which was actually paid to the injured party; also that nothing in this act shall impair any right under any other law of this State or of the United States or in any way interfere with any proceeding now pending in any court, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred

Senate bill No. 24, A bill to be entitled "An Act declaring corporations, receivers or other persons operating railroads in this State, to be liable to employees

for injuries received through the negligence of such employer, officer, agent or servant, or, in case of death from such injury, to be liable to the surviving widow and children and mother and father of the deceased; and if none, then of the next of kin dependent upon such employee; prescribing the effect of contributory negligence and assumed risk upon the right of recovery; declaring void any contract, rule or regulation intended to enable the employer to limit liability; also providing that employer shall be entitled to set off against any claim any sum contributed by such employer to a fund provided for such cases and which was actually paid to the injured party; also that nothing in this act shall impair any right under any other law of this State or of the United States or in any way interfere with any proceeding now pending in any court, and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do not pass.

MASTERTON,
PERKINS.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 41, A bill to be entitled "An Act creating the office of State Fire Marshal; and defining his powers and duties; and providing for the investigation of fires for the purpose of ascertaining the cause thereof; and prescribing the duties of certain officers in connection with such investigation; and of school teachers respecting fire protection, and amending Section 8 of Chapter 18 of the General Laws of the First Called Session of the Thirtieth Legislature so as to increase the rate of taxes on fire insurance companies and provide an additional tax sufficient to defray the expenses incurred by the maintenance of the office of State Fire Marshal and the performance of his duties herein defined; providing penalties for violations of certain provisions of this act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,
Austin, Texas, March 23, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 39, A bill to be entitled "An Act to provide for the establishment and maintenance of an Agricultural Experiment Station in the Thirty-second Representative District, and making the necessary appropriation therefor, and declaring an emergency,"

And find the same correctly engrossed.
WARD, Chairman.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 53, A bill to be entitled "An Act to provide for the establishment of an Agricultural Experiment Station in the Eleventh Senatorial District of Texas,"

And find the same correctly engrossed.
WARD, Chairman.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 34, A bill to be entitled "An Act to establish an Agricultural Experiment Station in the Fifteenth Senatorial District of Texas,"

And find the same correctly engrossed.
WARD, Chairman.

Committee Room,
Austin, Texas, March 24, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 51, A bill to be entitled "An Act to provide for the establishment of an Agricultural Experiment Station in the First Senatorial District of Texas,"

And find the same correctly engrossed.
WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Terrell of McLennan:

Waco, Texas, March 23, 1909.

Hon. H. B. Terrell, Austin, Texas:

We heartily favor passing appropriation bill and adjourning. We do not believe that any of the subjects submitted will assist in the upbuilding of Texas. We have had enough legislation for the best interest of this State.

Earnestly soliciting your support.
Numerously signed.

By Senator Adams:

Brownwood, Texas, March 17, 1909.

To Hon. W. N. Adams, State Senate, and Hon. C. H. Jenkins, House of Representatives, Austin, Texas.

Sirs: In view of the fact that a large majority of the leading bankers and financiers of the State are strongly opposed to the enactment of any law bearing on the guaranty of deposits, and believing that this opposition to such law is based upon the actual experience of able men who have devoted a lifetime to the study of banking; dreading the ultimate results that may arise from a radical departure from the solid experience of the past, and that such opposition is not from selfish motives; and believing that the enactment of such a law would be in violation of the fundamental principles of our institutions; and believing that the law guaranteeing deposits, even in Oklahoma, is yet an unsupported theoretical experiment which has already required amendments, one of the amendments asked for, showing the grave apprehension of danger lurking in such a law; and believing that time alone can only furnish a practical demonstration as to whether or not the guaranty law of Oklahoma should be an object lesson for Texas to follow; and further believing that even if there is a platform demand on that subject, which is denied by some, it would not suffer by deferring action in the matter until two years hence; therefore, we would earnestly represent that we deem it the part of wisdom and discretion that the Legislature of Texas do not act hastily in a matter so momentous to the financial interests of the State, but rather defer action thereon for the next two years, thereby enabling our lawmakers to see the result of such a law in other States and profit thereby.

Signed—Coggin & Ford Co., Brown-

wood National Bank, Citizens' National Bank, B. E. Hurlbut, Brooke, Smith & Co.

By Senator Kellie:

Beaumont, Texas, March 23, 1909.

Captain E. I. Kellie, Senate, Austin, Texas:

Would be glad to see you pass appropriations and adjourn.

H. D. FLETCHER.

Beaumont, Texas, March 23, 1909.

E. I. Kellie, Austin, Texas:

Your constituents want appropriation bill passed and then adjourn.

F. C. McREYNOLDS,
JNO. H. HIGLEY.

The Chair had the following telegrams read to the Senate:

Beaumont, Texas, March 23, 1909.

President of the Senate, Austin, Texas:

We believe much of the legislation proposed will do great harm, and respectfully petition your body to adjourn.

Signed—W. E. Adams, L. Solinsky, W. C. Arnold, J. B. Synnott, G. W. McCain, John H. Broocks.

Beaumont, Texas, March 23, 1909.

Lieutenant Governor, Austin, Texas:

We respectfully submit that the best thing that the Legislature can do is to pass no more laws and allow the people to rest.

Signed—R. M. Mothner, Louis Mayer, Guy W. Junker.

Beaumont, Texas, March 23, 1909.

Lieutenant Governor, Senate Chamber, Austin, Texas:

The new measures submitted by the Governor are regarded as extreme. We believe they would injure the State.

Signed—W. F. Keith, J. J. Nathan.

By Senator Perkins:

Celeste, Texas, March 22, 1909.

Hon. Tom W. Perkins, Austin, Texas:

Use your best efforts to defeat depositors' bank guarantee law for two years, until the Oklahoma law has been thoroughly tested.

Signed—Y. R. Eastwood, S. P. Green, C. E. Patterson and twenty-six others.

NINTH DAY.

Senate Chamber,
Austin, Texas,

Friday, March 26, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Meachum.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.

Absent.

Real.

Senter.

Prayer by Rev. A. H. B. McCurdy.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

SIMPLE RESOLUTION.

By Senator Murray:

Resolved, by the Senate of Texas, That the people of Uvalde be extended our heartfelt thanks for the many courtesies shown to the members who visited their splendid little city on yesterday. We saw in the people of Uvalde that splendid type of citizenship that has made the western man the model for the advanced civilization of the world, and we extend to our brother Senator, Claude Hudspeth, congratulations after having seen some of the people he represents.

MURRAY,
HARPER,
WEINERT,
TERRELL of Bowie,
PERKINS,
REAL,
HAYTER,
KELLIE.

The resolution was read and adopted.